

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert M. Levin  
Serial No.: 10/787,486  
Filed: February 24, 2004  
For: Sesquip<sup>TM</sup>

November 18, 2008  
Group Art Unit 3711  
Examiner: Dolores R. Collins

Mail Stop APPEAL BRIEF-PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Board of Patent Appeals and Interferences

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF  
(37 CFR 41.37)

In response to a Notification of Non-Compliant Appeal Brief, after consultation with Patent Appeals Center Specialist Bridget C. Monroe, applicant resubmits Section III, Status of the Claims beginning on page 2 of this paper.

### III STATUS OF CLAIMS (37 C.F.R. 41.37(c)(1)(iii))

The status of the claims in this application are:

#### A. TOTAL NUMBER OF CLAIMS IN APPLICATION

The claims in the application as filed are: Claims 1-6.

#### B. STATUS OF THE CLAIMS

1. Claims canceled: Claims 2 and 4-6.
2. Claims withdrawn from appeal: None
3. Claims pending: Claims 1 and 3.
4. Claims allowed: None.
5. Claims rejected: Claims 1 and 3.
6. Claims objected to: Claims 1 and 3.

#### C. CLAIMS ON APPEAL

The claims on appeal are: Claims 1 and 3.

Withdrawal of the rejection is respectfully requested.

Respectfully submitted,

/Grace J. Fishel/

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted  
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/Grace J. Fishel/